

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

NOV 6 1969

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed NOV 6 1969

The applicant Edgar A. and Phyllis Merkley of P.O. Box 83, Smith, County of

State of Nevada, 89430, hereby makes application for permission to change the point of diversion

of water heretofore appropriated under Application No. 22543

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground (Name of stream, lake or other source.)

2. The amount of water to be changed 2.0 (Second feet, acre feet.)

3. The water to be used for irrigation and domestic (If for stock state number and kind of animals.)

4. The water heretofore used for irrigation and domestic (If for stock state number and kind of animals.)

5. The water is to be diverted at the following point SW 1/4 NW 1/4 Section 12, T.11N., R.23E., M.D.B.&M., from which the one quarter corner on the west boundary of Section 13, T.11N., R.23E., M.D.B.&M. bears S. 10° 57' 41" W., 6642.0 feet.

6. The existing point of diversion is located within the SE 1/4 NW 1/4 Section 12, T.11N., R.23E., M.D.B.&M., from which the one quarter corner of the west boundary of Section 13, T.11N., R.23E., M.D.B.&M. bears S. 11° 48' 24" W., 6340.5 feet.

7. Proposed place of use N 1/2 NW 1/4 and a portion of S 1/2 NW 1/4 Section 12, T.11N., R.23E., M.D.B.&M.

93 acres

8. Existing place of use W 1/2 Section 12, T.11N., R.23E., M.D.B.&M.

320 acres

9. Use will be from January 1 to December 31 of each year.

10. Use has been from January 1 to December 31 of each year.

11. Description of proposed works.

well, pump and pipeline to sprinkler system

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works \$5,000.00

13. Estimated time required to construct works 1 year

14. Remarks It is the intent to delete the balance of the acreage from this application and only apply it to the 93 acres.

Compared jw/dc jls/dc

Applicant Edgar A. & Phyllis Merkley

By s/ Walter G. Reid
Walter G. Reid, Agent
P. O. Box 474
Virginia City, Nevada, 89440

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions: This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 22543 is issued subject to the terms and conditions imposed in said Permit 22543 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of water. (If well is flowing, a valve must be installed and maintained to prevent waste.) The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before August 19, 1970
Proof of commencement of work shall be filed before September 19, 1970
Work must be prosecuted with reasonable diligence and be completed on or before August 19, 1971
Proof of completion of work shall be filed before September 19, 1971
Application of water to beneficial use shall be made on or before August 19, 1972
Proof of the application of water to beneficial use shall be filed on or before September 19, 1972
Map in support of proof of beneficial use shall be filed on or before September 19, 1972

Commencement of work filed OCT 12 1970
Completion of work filed OCT 12 1970
Proof of beneficial use filed OCT 23 1970
Cultural map filed OCT 23 1970
Certificate No. 7556 Issued 2/9/71
Recorded 2/19/71 Bk. - Page 2

IN TESTIMONY WHEREOF, I, Roland D. Westergard, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of February

A.D. 19 70 [Signature] State Engineer



2407

Abstract by Port 65150 0.42